

AUSA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

Javier SANDOVAL

Defendant.

Magistrate Case No.

'08 MJ 8816

COMPLAINT FOR VIOLATION OF

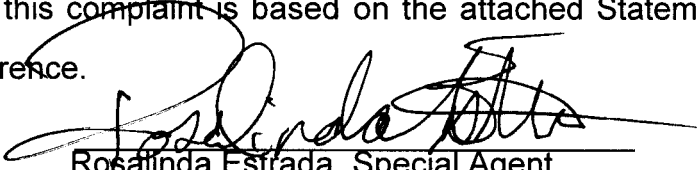
21 U.S.C. § 952 and 960

Importation of a Controlled Substance  
(Felony)

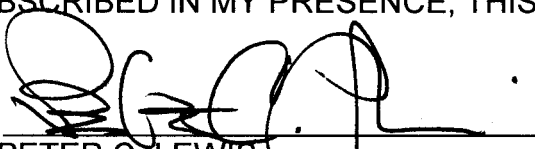
The undersigned complainant being duly sworn states:

That on or about September 5, 2008 within the Southern District of California, defendant Javier SANDOVAL did knowingly and intentionally import approximately 8.88 kilograms (19.54 pounds) of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Rosalinda Estrada, Special Agent  
Immigration and  
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 8th  
DAY OF SEPTEMBER 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

## PROBABLE CAUSE STATEMENT

I, Special Agent Rosalinda Estrada, declare under penalty of perjury, the following is true and correct:

On September 5, 2008, at approximately 0245 hours, Javier SANDOVAL was the sole occupant driver and registered owner of a 2003 Honda Element as he entered the United States at the Calexico, CA West Port of Entry.

Canine Enforcement Officer C. Jones was conducting a pre-primary inspection with his assigned canine, when his canine alerted to the cargo area of the vehicle driven by SANDOVAL. Officer Jones notified Officer E. Pelayo of the positive alert and recommended a secondary inspection.

In primary inspection, SANDOVAL gave Customs & Border Protection Officer E. Pelayo and Officer J. Rondan a negative Customs declaration. SANDOVAL stated he was the owner of the vehicle and had owned it for four years. SANDOVAL stated he was enroute to work. SANDOVAL and the vehicle were referred to secondary for further inspection.

In the vehicle secondary inspection area, SANDOVAL gave Officer Pelayo a second oral negative Customs declaration. As Officer Pelayo conducted his inspection, he noticed a strong odor in the vehicle and that the some screws in the dashboard had been tampered with.

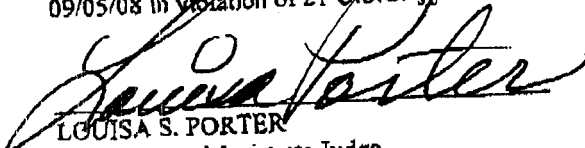
Fifteen (15) packages were removed from the dash board. The packages contained a crystallized substance which field tested positive for methamphetamine. A total of 8.88 kilograms (19.54 pounds) of methamphetamine was discovered.

SANDOVAL was arrested in violation of 21 U.S.C. §§ 952 & 960, Importation of a Controlled Substance. SANDOVAL acknowledged and waived his Miranda Rights and claimed he had no knowledge that he was smuggling narcotics in the vehicle. SANDOVAL stated to Agent Estrada he had owned the vehicle for four months. In primary, SANDOVAL stated had owned the vehicle for four years. SANDOVAL initially stated no one had driven the vehicle except him, then stated his wife had driven the vehicle twice. SANDOVAL stated he had recently moved and claimed he didn't even know the street name of his new address. SANDOVAL stated he currently lived with his wife. Agent Estrada contacted SANDOVAL's wife, who stated they were separated and had not seen SANDOVAL in months.

Executed on 09/05/08 @ 0843 hours

  
Rosalinda Estrada, Special Agent  
U. S. Immigration & Customs Enforcement

On the basis of the facts presented in this probable cause statement consisting of 1 page, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on 09/05/08 in violation of 21 U.S.C. §§ 952 & 960.

  
LOUISA S. PORTER  
United States Magistrate Judge

9/6/08 Nana  
Date/Time